

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-26135-2017

Date of decision:- 22.03.2018

Narinder Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. R.K. Bansal, Advocate,
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. Varinder S. Rana, Advocate,
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.116 dated 13.07.2013, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Bhawanigarh, District Sangrur, on the basis of compromise entered into between the parties.

2. While issuing notice of motion, the following order was passed by a Co-ordiante Bench of this Court on 21.07.2017: -

“The petitioners are seeking quashing of FIR No.116 dated 13.07.2013 under Sections 420/467/468/471/120-B IPC registered at Police Station Bhawanigarh, District Sangrur (Annexure P-1), on the basis of compromise (Annexure P-2) arrived at between the parties.

Learned counsel for the petitioners contends that FIR is outcome

of a dispute over possession of land and the parties are related to each other and the matter has been compromised with the intervention of respectables.

Issue notice to the respondents, returnable on 25.08.2017.

At the asking of Court, Ms. Bhavna Gupta, Deputy Advocate General, Punjab, accepts notice on behalf of respondent No.1.

In the meantime, the parties are directed to appear before the Illaqua Magistrate/trial Court on 04.08.2017, who shall record their statements regarding genuineness of the compromise as to whether compromise has been effected between the parties without any undue influence or coercion. The Illaqua Magistrate/trial Court shall send its report to this Court by the next date of hearing.”

3. In terms of order dated 21.07.2017, Judicial Magistrate 1st Class, Sangrur, recorded the statements of both the parties and submitted a report dated 07.08.2017 and operative part of the same reads as under: -

“ The perusal of the case file shows that the present FIR was registered by complainant Surinder Kaur against accused Narinder Singh, Jeet Singh, Gurjant Singh and the Stamp Vendor on the allegations that the accused have forged agreement dated 30.11.2009 purported to be signed by Jang Singh, Sham Lal, Stamp Vendor, has been kept in column no.2 and challan was presented against the above three accused only. Accused Jeet Singh has died and the proceedings against him abated vide order 10.03.2015. No other person has been arrayed as accused in this case. No other person is affected. Having considered the facts and circumstances of the case, I am of the view that the compromise is genuine and parties have entered into compromise voluntarily, without any pressure, coercion, or influence.”

4. A perusal of the report reveals that the compromise entered into between the parties is genuine, voluntarily, without any pressure, coercion or influence. Even before this Court also, the parties are not disputing the factum of compromise arrived at between them.

5. No objection has been raised by the learned State counsel on a specific query put to him by the Court with regard to quashing of the

FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case.

6. In view of the above, this Court is fully convinced that the offences are entirely personal in nature and does not involve any public funds and thus, quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Accordingly, the impugned FIR and all consequential proceedings resulting therefrom, qua petitioners, are hereby quashed.

7. Petition is allowed.

(MAHABIR SINGH SINDHU)
JUDGE

March 22, 2018
naresh.k

Whether reportable?	Yes
Whether reasoned/speaking?	Yes